

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

C.A. NO.: 05 CV 40071-FDS

NANCY SCHWENK, PERSONAL)
REPRESENTATIVE OF THE ESTATE OF)
CHRISTIAN SCHWENK,)
Plaintiff,)
)
v.)
AUBURN SPORTSPLEX, LLC, DENNIS)
NATOLI, JOHN NATOLI, and PETER)
NATOLI,)
Defendants.)

DEFENDANTS' RULE 26(2)3 DISCLOSURE

(i) Witnesses

Peter Natoli, 406 Treasure Island, Webster, MA
John Natoli, 13 Gilbert Way, Millbury, MA 01527
Dennis Natoli, 370 South Street, Auburn, MA 01501
Joseph R. Teixeira
James W. Vail, 12 magill Avenue, Grafton, MA 01519
Auburn Sportsplex's accountant, Steven Richer
Nancy Schwenk, 1033 Grove Drive, Naples, FL 34120

The defendants reserve the right to supplement this list prior to trial.

(ii) Witnesses via deposition

Christian Schwenk

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(iii) Exhibits

1. Ownership Purchase Agreement
2. LLC formation document
3. Unsigned Operating Agreement
4. Minutes

5. Checking account records (produced by defendant to date)
6. Financial spreadsheets (produced by defendant to date)
7. Initial offering materials describing business plan and projected budget, and cover letter.
8. Appointment of Nancy Schwenk as Administratrix (if necessary)
9. Plaintiff's Answers to Interrogatories
10. Defendant's Responses to Request for Admission.
11. Death Certificate (if needed)
12. Defendants Federal and State income tax returns (produced by defendants to date)
13. All deposition exhibits
14. Letter by Paul Linet on behalf of Plaintiff demanding return of investment
15. Lease agreement with tenant of Auburn Sportsplex
16. Correspondence between Plaintiff and Natolis
17. Certification of non-filing annual statements (if necessary)
18. Pleadings from Worcester Probate Court re One St. Mark Trust (if necessary)
19. Loan documentation from lenders referenced in financial disclosures (if necessary)
20. Bank account records relative to cash transfers between Auburn Sportsplex and Natoli (if necessary)
21. Records of Auburn Sportsplex's accountant (if necessary)
22. Diagrams and photos of Auburn Sportsplex facilities (from website)
23. Such other records as may be necessary for impeachment.
24. Christian Schwenk's driver's license
25. Documents from Florida Court's re status of Christian Schwenk's marriage

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The Defendants
By their attorney,

/s/ John J. Regan, Esq.
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